

**MINUTES OF A REGULAR MEETING
OF THE
BOARD OF TRUSTEES
OF THE
TOWN OF BUENA VISTA, COLORADO**

August 11, 2009

CALL TO ORDER

A Regular meeting of the Board of Trustees was called to order at 7: 04 PM, Tuesday, August 11, 2009, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado by Mayor Cara Russell. Present were Trustees Keith Baker, Brett Mitchell, Robert Flint, Joel Benson, Town Administrator Sue Boyd, Town Attorney Lee Phillips, Public Works Director Roy Gertson, Police Chief Jimmy Tidwell, Town Engineer Rachel Friedman, Zoning Compliance Officer Lisa Malde, Airport Manager Bob Johnson, Town Treasurer Christine DeChristopher and Town Clerk Diane Spomer. Trustee Nyberg was absent.

ROLL CALL

Town Clerk Spomer proceeded with the roll call and declared a quorum.

PLEDGE OF ALLEGIANCE

Mayor Russell led in the Pledge of Allegiance.

AGENDA ADOPTION

Trustee Flint requested item D from New business be moved to Item A. Mayor Russell suggested it be item C and to add Item I to New Business "Filling of Board Vacancy".

Motion #1 by Trustee Benson, seconded by Trustee Mitchell, to adopt the agenda as amended. Motion carried.

CONSENT AGENDA

- A. Minutes**
 - 1. Regular Meeting – July 28, 2009
- B. Advisory Board Minutes**
 - 1. Airport Board
 - 2. Trails Advisory Board
 - 3. Beautification Advisory Board
- C. Should the Board approve adoption of Resolution #60, Series 2009, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH TOM'S BALING LTD CONCERNING THE CUTTING OF HAY ON THE TOWN'S GORREL MEADOW"?**

Trustee Benson asked for information on the conversation for motion #6. Roy Gertson noted New Bee's complained of a straight curb in the front of their driveway and the inconvenience so a section was moved for under \$1000. Joel "echoed" Mr. Lentz's comment on noticing the sign code discussion and encouraged staff to notify the public as much as possible. Sue advised that the notice in the paper did speak to the "sign code" but the agenda was not as clear and staff will work on that.

Mayor Russell referenced item #4 on page 20 where it stated "Joy will order one set of lights", expressed her appreciation for the Board's work but asked how they could purchase if they have no spending authority. Christine stated they can spend what they have raised, they have a line item in the budget and always check what their available funds are. Sue Boyd added that normally the advisory boards do not have spending authority, but this board has raised the funds.

Treasurer DeChristopher noted a correction on page 15, the first bullet should say “they asked if the Town had any projects” and remove “that feed into the mini grant process”.

Trustee Benson asked about rationale of the 40% of the total tonnage on the Gorrel Meadow Agreement. Roy stated it is what we have done in the last 20 years, the price is \$80/ton and it varies, the total revenue is less than \$800 or \$900 but the main concept is to get the hay cut.

Motion # 2 by Trustee Baker, seconded by Trustee Flint, to approve the Consent Agenda as amended.

Cara asked the Town Administrator to introduce new staff members. Sue Boyd introduced Rachel Friedman, Town Engineer and Lisa Malde new Zoning Compliance Officer and Planning Technician.

PUBLIC COMMENT

Al Conrad, 141 Brady, brought pictures of a business operation called Soot Busters with a restaurant exhaust cleaning, noted the home owner had fireworks in front of the house at night and cited Section 16-254 Subsection D & K of the Municipal Code. Al added that one trailer is there all the time, the business owner has a lot in the industrial park with no electric or sewer but wants to bring the business to 140 Brady, when there is someone home he has traffic and there is a day care center down the street. Mr. Conrad has asked for something to be done for a long time and nothing has been done, it makes the area look run down and asked for consideration from Council to have the equipment and the business moved to the industrial park.

Earl Richmond, 412 Cedar, addressed Mike Harvey’s proposal for the extension of the Buena Vista River Park, gave a brief history of the white water park, noted Mike was involved in the first feature, he does a good job and provides a discount and was in support of his proposal. On another note, several Rec. Board members met, there are a lot of people excited about being on the Rec. Board but some want one more meeting before they commit and the next meeting is tomorrow.

RESPONSE TO PUBLIC COMMENT

Sue Boyd noted this is the first issue that Lisa has researched and is working on a process to resolve issues and staff is viewing drafts and will be putting info on the website. We met with the gentleman connected with the business, addressed the concerns of Mr. Conrad, there were few code violations and it raises issues on how we deal with this type of issue with our Code, we are giving the business owner some time to deal with the issues and requested a little more time.

Discussion followed on there are numerous issues that need to be addressed and there are problems with the code also; staff has to investigate further to see if the barrels need “hazardous material” markings; Lisa Malde contacted the State Hazardous Material Division and sent pictures who stated some oils do not need to be marked, if they are hazardous there has to be a certain volume of material before they will look into it; hazardous material with a day care center down the street needs to be taken care of soon; this business is not “in the spirit” of a home occupation; the owner is trying to remove the materials and a letter was sent to notify him of what has to happen to be in compliance along with a time frame; Lisa will be following up with Mr. Conrad on the steps the Town is taking to rectify the situation but Mr. Conrad phoned her and she advised him of the steps so far. Council requested a regular report from Lisa Malde.

Trustee Benson asked where the “lower play park” was. Earl advised the proposed location is below the S. Main boat ramp, work in the river will be grouting the upper structure and making some of the features “more dynamic”.

OLD BUSINESS

Should the Board approve adoption of Resolution #61, Series 2009, entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LEADING EDGE TO PROVIDE CONSULTING SERVICES AT THE CENTRAL COLORADO REGIONAL AIRPORT**”?

Administrator Boyd led the discussion for a consultant to be hired to do an assessment at the airport regarding rules, regs. and minimum standards and stated staff has negotiated the contract to proceed to get the project out the door.

Discussion followed on completion was projected within two months of starting (Mid August) with a report by October; Leading Edge will interview all the 'stake holders'; one qualification was that the consultant could distinguish between what was FAA related; the business plan is a work that is in progress and is being held up due to conflicts at the airport; the contract was drafted prior to the final budget being submitted by the consultant; the agreement is a template that Lee Phillips prepared and certificates of insurance have been submitted.

Motion #3 by Trustee Flint, seconded by Trustee Mitchell, to approve Resolution #61, Series 2009. Roll call vote: Benson-aye, Flint-aye, Mitchell-aye, Baker-aye. Motion carried.

NEW BUSINESS

Should the Board approve adoption of Resolution #62, Series 2009, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA APPOINTING MEMBERS OF THE RECREATION BOARD**"?

Sue Boyd gave some background in her memo that the Rec. Board has not been as active as originally contemplated, Council discussed building a Recreation and Parks & Rec. Master Plan process and if we reconstitute the Board they could be the steering committee for the project with the Town as lead agent to pursue GOCO funds; one individual, Eric Gibb, was not able to make the last meeting and wants to find out more before he commits and his name should be removed from the Resolution; with this resolution we will have 5 of the 9 members; we discussed involving youth members but do not have any at this time as it is challenging enough to represent diversity and recommended filling the current positions.

Discussion held on amending the last paragraph of Resolution #62 to strike Eric Gibb and change "are" after Mike Miler to "is" and "a member" rather than "as members".

Motion #4 by Trustee Benson seconded by Trustee Mitchell, to approve Resolution #62, Series 2009, as amended. Motion carried.

Should the Board approve adoption of Resolution #63, Series 2009, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA SUPPORTING THE APPLICATION FOR A PLANNING GRANT FROM THE BOARD OF GREAT OUTDOORS COLORADO (GOCO) FOR DEVELOPMENT OF A COMPREHENSIVE PARK AND RECREATION FACILITY MASTER PLAN**"?

Sue Boyd noted this compliments the previous item and is necessary to pursue to GOCO planning grant to develop a Parks & Recreation Master Plan; implies that the Town would be the lead agent that could extend beyond the Town Boundaries; the County has been approached to be a partner and we had a conversation with the School Superintendent to have them as a major partner; there are other user groups that can participate; this makes it easier to pursue grant funds in the future; the master plan will provide guidance for future grants; I spoke with Wally at GOCO about the idea of stepping back from determining indoor and outdoor facilities for a master plan and this being all encompassing at the master plan stage and he is OK with GOCO funds being used for a big picture plan.

Discussion held on the timeline with the grant; expending funds in the 2010 budget; desired outcomes and what are we going to do with certain parcels of land; if Sue provides a letter the School Board will discuss at their next meeting and the County is contemplating a similar letter at their next meeting.

Motion #5 by Trustee Benson, seconded by Trustee Baker, to approve Resolution #63, Series 2009. Motion carried.

Should the Board approve adoption of Resolution #64, Series 2009, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA SUPPORTING THE GRANT APPLICATION FOR A MINI GRANT FROM THE STATE BOARD OF THE GREAT OUTDOORS COLORADO FOR THE ADDITION OF A ROCKS AND ROPES CLIMBING AREA FOR CHILDREN**"?

Trustee Flint excused himself from the discussion as he is a member of the Optimist Club.

Christine DeChristopher noted we have the BV Boulder Garden, the boulders are up but Public Works has a lot of work to do to make the garden safer including irrigation, sod and picking up glass; the Committee has been looking at rocks & ropes; when the Optimists solicited capital projects from the community we had a project that was "ready to go" and we were looking for more funds. The Optimists voted to put \$11,000 toward the project and the Town will put in \$4000, the majority of our costs will be from Public Works, the funds will be from the 2010 budget and this grant has the same timing.

Gail Nottingham, Optimist Club, advised that the optimists have been in Buena Vista for 35 years and outlined how they raise funds; their goal is to provide financial help to the youth and outlined various programs they offer.

Discussion held on Optimist funds will stay in their treasury if the Town does not approve and they will look for another project to fund in the community; location of the rocks and ropes and what the course is; staff time of four hours to prepare the mini-grant; the committee of volunteers are very dedicated.

Motion #6 by Trustee Benson, seconded by Trustee Mitchell, to approve Resolution #64, Series 2009. Motion carried. Trustee Flint abstained from the vote.

A recess was taken from 8:09 PM to 8:14 PM.

PUBLIC HEARING – TO CONSIDER A REQUEST FOR FINAL PLAT APPROVAL OF THE COTTAGE GLEN MAJOR SUBDIVISION AND PUD ZONING, SAMUEL MICK

Administrator Boyd gave an overview of the project since Sketch Plan approval, Town Planner Haydin is on maternity leave and Lisa Malde has prepared the staff report reflecting Preliminary Plat conditions of approval, we have hired a new Town Engineer and have tried to keep the application moving forward with staff changes and have identified issues for tonight's discussion.

Lisa Malde noted a few minor conditions: the plat note regarding on street parking with detail showing ADA accessibility for trails and cross walks and a traffic sign detail that have not been approved; the major concern is the encroachment on the D.O.W. conservation easement that may involve significant changes to the existing site plan; there are also a number of engineering issues that need to be addressed.

Rachel Friedman noted multiple technical issues and highlighted them through a power point presentation: the D.O.W. wanted the conservation easement to be surveyed and marked, there is a 4' shoulder that infringes upon the easement (found during Preliminary Plat approval) and if it is moved they would need a new grading and drainage plan and come back for review; spoke with Cameron Wilkins and he suggested they separate the bio swale to make them 2' and put on each side and redo the grading plan; on the drainage report there is a culvert under Railroad with flows into the rain garden and they propose to remove the dam and have a low water crossing but flows coming in from off-site have not been addressed adequately nor the new flows from the new lots; nothing is in the report showing how that will be collected and new pervious surfaces should be collected adequately; the project has to meet FEMA regulations-Cameron stated they would redo the drainage report but we have not seen it yet; parking at an 8% grade is not recommended and recommended parking be removed from the flood plain which leaves only a few parking spots (going from 9 parking spots to 6); a condition in May with the sewer line over Cottonwood Creek has not been addressed yet - there is concern with children trying to cross Cottonwood Creek and it needs to be protected with metal grading similar to Cottonwood Creek; erosion

control should be added to the plan and Crabtree has agreed. Recommendations are as noted in Crabtree provided a handout showing approvals but has a few items missing: trails as shown is ADA compliant but crosses the ditch and has no detail for the crossing; the large trees shall be marked remaining prior to clearing; item 3 b) also discussed adding plants and showing the detail of how many will be added along with the cost; item 5 f) they have not commented on the length or width of the concrete on both sides of the asphalt for the water crossing detail.

Mayor Russell opened the public comment portion of the hearing at 8:31 PM.

Cameron Wilkins, Crabtree Group, 325 D Street, Salida, CO, received the staff report last Thursday and did not have time to get through it; there have been a lot of staff changes and they feel the Town's growing pains. Cameron noted they designed the project as a small neighborhood with in-fill; have had five public hearings with P&Z & Board of Trustees and had unanimous decisions all the way through; believes they can work out an agreement from DOW (had it surveyed and marked as a condition of approval); feel they have met every condition of approval for the Town; had discussions with his attorney on the conservation easement who felt the 10' section was for access to the trail for fishing access and education purposes and recommended D.O.W. sign off on it so everyone is comfortable prior to filing the plat and can do with minor alterations to the plan; #3 was changed to SIA be updated to say "cost estimate be updated and be satisfactory to the Town and Developer"; to ensure the 10 yr. flow can go through the site they can add more detail to say they have no storage for the 10 year storm but can indicate that the 100 year flow will go through and the first half inch of rain; the sewer line is an exposed pre-existing condition and we are removing the obstruction and reverting it back to its natural condition and not changing anything but leaving the sewer line the way it is.

With no other comments Mayor Russell closed the public comment portion of the hearing at 8:37 PM.

Discussion followed on the rip rap downstream for drainage is not in Cottonwood Creek but will be where the pan comes out; if the project is approved with all the proposed conditions including the easement, the mylar will not be recorded until the issues are resolved and a lot of the things will require changes to the S.I.A. and the Resolution of approval; Council could continue the hearing for two weeks so final documents can be presented for final approval; the D.O.W. easement was identified at Preliminary Plat with a condition and we are still looking for a final submittal that addresses the issue; if D.O.W. approves to allow the encroachment then most of the other issues are relatively modest, but if they don't it could take staff significant time with major changes to the plat and it may have to go back to P&Z; what matters is what DOW thinks; "to have it surveyed and marked so there is no encroachment on their easement" was the condition of approval at Preliminary Plat; the last response from D.O.W. was March 26 and nothing is noted on the Final Plat to address the issue; approving the plans contingent upon D.O.W. approval but there is a likelihood there may be significant changes to the plan; staff recommends continuing the hearing to see where D.O.W. stands and to see if there are significant changes to the plan; how much of a difference will two weeks make to the developer; if Council approves and there are changes to be made then we have the amendment process; how many issues came about because of a change of players - some came at Final Plat and some were from Preliminary Plat; most of the information leading to Rachel's comments were not available at Preliminary Plat and most of the conditions can be worked out except the conservation easement and the parking; S. Main has issues with parking and trying to avoid a similar situation.

Motion #7 by Trustee Mitchell, seconded by Trustee Benson, to continue the Hearing to August 25, 2009. Discussion continued. Motion carried. Cameron will call D.O.W.

Should the Board approve adoption of Resolution #65, Series 2009, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA AUTHORIZING THE ENGAGEMENT OF RECREATION ENGINEERING AND PLANNING TO PROVIDE ENGINEERING CONSTRUCTION MANAGEMENT SERVICES FOR THE LOWER WHITEWATER PARK PLAY STRUCTURES**"?

Christine DeChristopher noted the contract is for \$11,000 and we would normally go to bid, but it is a continuation of what we have been working on with the same engineer and designer; professional services are never required for competitive bid and Attorney Phillips is comfortable with this one.

Discussion held on some dissatisfaction on lack of reporting progress in the past and staff was urged to hear directly from Mr. Harvey; Rachel will become the project manager; meeting the timeline is important to the Town and the project needs tight management; funds are in the 2010 budget for construction but Mike's costs are in the 2009 budget.

Motion #8 by Trustee Benson, seconded by Trustee Flint, to approve Resolution #65, Series 2009. Roll call vote: Benson-aye, Flint-aye, Baker-aye, Mitchell-aye. Motion carried.

DISCUSSION OF A LETTER OF INTENT REGARDING GRANT FUNDING FOR THE GREGG DRIVE AND UPPER ZONE WATER MAIN EXTENSION

Sue Boyd outlined that the draft letter is for support of projects that are being held up due to lack of sufficient infrastructure along Gregg Drive and to improve our Upper Zone water system; the Town is not real clear we are eligible for this funding source, but DOLA suggested the Town send a letter of interest anyway to clarify what we were trying to do and if it goes forward and we are denied the funding source it sets the stage for them to work closely with us to figure out some solutions; a \$5 million project is more than any individual project can support public or private and this letter indicates we look at multiple funding sources; other capital projects need due diligence and the County needs to be a part of this and the Sanitation District also.

Discussion followed. Council approved the letter for the Mayor's signature.

DISCUSSION OF A NAME FOR THE NEW BOULDER PARK

Christine DeChristopher stated a group has been meeting since January working on different projects and came up with numerous names for the park and feel signage also needs to be done; they felt it was important to give the area a name and they were unanimous that "BV Boulder Garden" was the right name to designate it as a separate area and solicited comments from Council.

Discussion followed on if the name is "BV" it will end up being "beefy"; the park is a Town asset and Town amenity; some climbers will individually be naming the boulders; placing a tile plaque on each one; the Resolution addresses the name of the boulder in the South Main Town Square.

- Should the Board approve adoption of Resolution #66, Series 2009, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA IDENTIFYING AND NAMING THE BV BOULDER GARDEN**"?

Motion #9 by Trustee Baker, seconded by Trustee Mitchell, to approve Resolution #66, Series 2009 and amend the name "BV" to "Buena Vista". Motion carried.

DISCUSSION OF TREE STUMP CARVING AT MCPHELEMY PARK

Sue Boyd stated this item was added pursuant to Trustee Benson's request, the Beautification Committee was charged with looking at this and have looked at individuals who could do this but it has not moved very far; a proposal was received for \$3000, there is no funding in the 2009 budget for expenditure and solicited input.

Trustee Benson stated he was on the Tree Board and discussed carving with Roy Gertson, there was talk in the past about bringing in a tree but we have a tree at the corner; there was a carver at Gold Rush Days who submitted a proposal and diagram to Roy stating he could get it done by Gold Rush Days. Joel

talked to him and wanted the Board to have a discussion. Mayor Russell stated she also had a conversation with him and he uses a chain saw; the Travel Management Plan by the Chaffee Heritage Board for the Scenic Byway identified six historic themes, mining fits into that and this could be a kick-off.

Discussion held on losing our window of opportunity; The Optimists discussed obtaining a locomotive to add on to the caboose; seek proposals to give local individuals opportunity to bid; get proposals now and budget for 2010.

Motion #10 by Trustee Benson, seconded by Trustee Mitchell, to direct staff to put this out for bid to local individuals and add to the 2010 budget. Motion carried.

FILLING OF BOARD VACANCY

Attorney Phillips advised that the Municipal Code and State Statute say if a vacancy is not filled by appointment within 60 days a Special Election is to be called but prohibits having a Special Election less than 30, 60 or 90 days prior to a Regular Election and the window of time is limited. Discussion followed on appointing and seeking or soliciting interested individuals to run for the April 2010 Election, cost of a Special Election. Council concurred with soliciting letters of interest.

Motion #11 by Trustee Benson, seconded by Trustee Flint, to follow the appointment procedure and to have letters of intent considered by Council at the Sept. 8 meeting. Discussion followed on letters to be submitted by August 31, 2009.

Trustee Benson amended his motion, seconded by Trustee Flint, to state letters of intent should be in by 5 PM August 31, 2009 to the Town Clerk and the intent is to appoint at the first meeting in September. Motion carried.

STAFF REPORTS

TOWN ADMINISTRATOR:

Administrator Boyd had the following items to cover:

- The Administrators met with Kathryn Wadsworth and came up with a plan to engage a steering committee for the Chaffee County Energy Plan; they will meet 8/27 in Buena Vista from 8-10AM and are looking for two representatives from each jurisdiction with one staff and one elected official. Trustee Flint volunteered.
- On August 25 there is a study session to discuss affordable housing similar to the water session with public input at 6:00 PM and I will send out an e-mail.
- On page 112 is the article on water that was published in the Colorado Municipalities; it was a request to write an article on the importance of water to the local economy.
- Page 114 in planning for the 2010 operating budget we advised Department Heads they will see flat revenues, no new positions and a 3% reduction in non-personnel operating expenses; this will set a base on those parameters and solicited input from Council. Christine did not receive a call on the sales tax for the month.
- The School is talking about sending a few people to a training held in Salida on Safe Routes to School in September to learn more about the program.
- The Beautification Committee is contemplating a special event "Oktoberfest" and will involve the Town as a sponsor. Discussion held on insurance being reported and an amendment that will need to be done to the policy. Sue will bring back with more details.

TOWN TREASURER:

- Mayor Russell asked about revenue for the airport. Christine advised they are still working on it.

PUBLIC WORKS:

- Mayor Russell referenced the Trails Advisory minutes regarding the South West Conservation Corp. work. Roy Gertson advised that they constructed a trail loop into the boulder rock garden and also closed some social trails on the Arkansas River Trail; there is 350 feet of new trail and it is in the GOCO grant for the Boulder Park.

- Trustee Benson asked about the comments on street trees in Sunset IV and waiting for the bankruptcy proceedings. Lee noted that Sunset IV is not part of the bankruptcy but it is a Hiatt bankruptcy. Sue added that the developer has the obligation to do sidewalks and trees and is working things out with those who are purchasing lots at this time. Roy noted it also includes the sidewalk issues. Joel asked about the letter on Ark Valley not running the chipper anymore and if we should consider the burn pile. Roy stated they have locked up the facility, there were a lot of chippings there that now belong to the Town and we are using them to build our soil at the rock garden; we acquired a large area and need to consider how we will deal with it, it is creating a hazard we need to deal with. Economics made it “tough to go” for an organic recycling center. The County bought a chipper and is using it on reclamation of the landfill. Discussion held on asking for a waiver of the chipper for the Town’s use.
- Roy advised he just received from the State Health Dept. on their needs list survey for funding cycles, they review them and can come up with what type of infrastructure revenues the State needs for the next few years, we will put together our list, they said to go “long range” (treatment plant, storage tanks) - we have until August 21 to put that together. Sue added that staff will be submitting the same items that have been listed in the capital improvement plan.

POLICE DEPARTMENT/CALL REPORT/MUNICIPAL COURT

- Mayor Russell asked for a comparison of calls for service with last July. Chief Tidwell noted they had more calls last July than they ever have.
- Trustee Benson asked Chief Tidwell about his concern on the interoperability of their new radios. Jimmy spoke with Sue and Christine and noted that during 911 the tower that fell had all the communication and no-one could communicate with anyone after that; now we have Homeland Security and are trying to get grants, we have channels but the dilemma he voiced is that he cannot communicate with Chief Pratt and Wingert and felt we are going backwards and not forward. Sue promised to call more attention to this, it is significant and different than what was expected when we got the radios.
- Chief Tidwell had people ask about how many cars were at the fireworks and expressed he would rather work with the people than directing traffic.

TRUSTEE/STAFF INTERACTION

- Trustee Benson noted that Council discussed on subdivisions to get the run down of EQR and noted Cottage Glen was not on the tables but was just “a lot”. Joel suggested Staff could come up with a code change for the subdivision process so that when we have preliminary plat staff does the run down on the EQR (a table). Discussion followed on impact of EQRs.

Motion #12 by Trustee Benson, seconded by Trustee Baker, to include language in the code to provide at preliminary plat of a subdivision, a rundown of EQRs such as those available, EQRs committed for projects, EQRs promised to vacant land, total available EQRs, project demands, reduction in water inventory, etc. Motion carried.

- Trustee Benson asked Roy for the status on the restrooms at S. Main. Roy noted staff scheduled a meeting and it got canceled and has not been rescheduled yet. There are other items they need to finish up this fall from the punch list. Joel asked about the Brownsfield meeting. Sue is trying to follow up and look up the status of the study that was done in the past and they will do some assistance at no charge. Cara stated that was as far as it went. Sue noted they knew about the Texaco and she is following up on it. Joel gave a reminder of the access plan that needs to be done. Sue stated it is on the agenda to pursue this fall to be launched. We will move forward even with Shannon gone and will talk to CDOT on what they need, get community input and then get to the access plan. Joel asked about the status of changing the budget from the entry boulders to a design plan. Sue stated they will incorporate it into a large visioning plan for Hwy. 24 and incorporate the way-finding signs also to get a consistent flow of information. Joel advised he and Cara will meet next week about the meeting with business leaders and we could talk about how that could be structured to get input. Cara stated it is a follow-up to a conversation with the Chamber on how Town processes get in the way of business productivity. Joel asked staff to forward an agenda for the commissioners meetings. Sue advised they are on their website but we could forward them. Joel will get on their list.

- Mayor Russell advised that Rep. Doug Lamborn will be in Town next Wednesday the 19th for a Town Hall meeting; Cara has been filling-in on the Chaffee Heritage Advisory Board (appointed by the Commissioners) and recommended that Shannon be the Town's Rep. and make a recommendation that she be appointed to fill out that term and offered to draft a memo to that affect for the next agenda.
- Trustee Mitchell asked where we stand with the Ivy League Water Agreement. Sue noted it is pending and tied up in a bigger conversation, was not sure on the progress and Roy has not heard anything since Spring. Stan Hachman told Mayor Russell they are not in a big hurry. Brett had a question from Police Officers on camping in Town. Chief Tidwell stated the issue is when we have 200-400 people camping and there is a problem in moving them rather than leaving the issue alone; there are issues with people pulling into the park and getting free electric for 1 hour and answering to citizens who are upset by it and suggested better signage. Sue advised Council that staff has discussed securing electrical outlets and pursuing signage and revisiting our reinforcement. Brett asked if we have access to more labor from the prison and utilizing them. Roy stated he was told in his last conversation they allow 1 week a month (3rd week of the month) and have not indicated if there is any more crew available but there is potential. Cara stated that sometimes a project ends early and we can let them know we are open for that. Roy stated a crew ended early in Poncha this week and he has a list ready for those instances.
- Attorney Phillips requested an Executive Session to hold a conference with the Town Attorney for the purpose of receiving legal advice on specific legal matters under C.R.S. 24-6-402 (4) (b) and to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators pursuant to C.R.S. 24-6-402 4) (e) relating to a submittal of Cottonwood Meadows.

Motion #13 by Trustee Mitchell, seconded by Trustee Baker, to enter into Executive Session to hold a conference with the Town Attorney for the purpose of receiving legal advice on specific legal matters under C.R.S. 24-6-402 (4) (b) and to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators pursuant to C.R.S. 24-6-402 4) (e) relating to a submittal of Cottonwood Meadows. Those present for the Executive Session were Mayor Russell, Trustees Joel Benson, Robert Flint, Brett Mitchell, Keith baker, Town Administrator Sue Boyd and Town Attorney Lee Phillips. Executive Session was held from 10:17 PM to 10:43 PM.

Motion #14 by Trustee Flint, seconded by Trustee Baker, to adjourn back to Regular Session. Motion carried.

ADJOURNMENT

Motion #15 by Trustee Benson, seconded by Trustee Mitchell, noting that there being no further business to come before the Board declared that the meeting be adjourned at 10:44 PM. Motion carried.

Respectfully submitted:

Mayor, Cara Russell

Town Clerk, Diane Spomer